

Inheriting a city in distress, including a budget deficit close to \$2 billion dollars and a seemingly uncontrollable crime rate, David Dinkins had his hands full. The city also faced racial tensions that needed attention quickly, which Mayor Dinkins provided. Mayor Dinkins was able to soothe the city amidst times of turmoil, stemming from disagreements across ethnicities, which were very common during his tenure as mayor. Mr. Dinkins left office after turning the budget deficit into a surplus, and acting as the peacemaker in the city.

As a professor of public affairs at Columbia University, Mr. Dinkins continues to work for others by providing young adults with an education. He is to be commended for his achievements. David Dinkins is a dear friend, and serves as an inspiration to me, as well as many others. As Americans, we should honor him by joining his family in celebration of his 80th birthday.

**BILL TO PROMOTE COOPERATION  
WITH LOCAL GOVERNMENT IN  
ANALYSIS OF CERTAIN WATER  
PROJECTS**

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Saturday, August 4, 2007*

Mr. UDALL of Colorado. Madam Speaker, today I am introducing the "Greater Cooperation with Local Governments in Water Project Analysis Act."

This bill would require the U.S. Bureau of Reclamation and the U.S. Army Corps of Engineers, when acting as a lead federal agency for analysis under the National Environmental Policy Act of 1969, NEPA, of certain water projects, to grant "cooperating agency" status to affected subdivisions of state governments if they seek that status.

The bill would apply to analysis of any project involving diversion of water from one river basin to another river basin and to any local government with jurisdiction over any portion of such a project.

Its purpose is to ensure a "seat at the table" for these local governments, to make sure they have the fullest opportunity to provide input regarding the potential impacts of such a project.

It's important to note that this bill would not give any state subdivision a "veto" of the water diversion project. It would only ensure the subdivision's more direct involvement of the analysis of such a project.

While the term "cooperating agency" is not part of the statutory language of NEPA, the Council on Environmental Quality, CEQ, has issued regulations providing for that status in order to implement the NEPA mandate that Federal agencies responsible for preparing NEPA analyses and documentation do so "in cooperation with State and local governments" and other agencies with jurisdiction by law or special expertise.

As CEQ has noted, "Studies regarding the efficiency, effectiveness, and value of NEPA analyses conclude that stakeholder involvement is important in ensuring decision-makers have the environmental information necessary to make informed and timely decisions efficiently. Cooperating agency status is a major component of agency stakeholder involvement

that neither enlarges nor diminishes the decision-making authority of any agency involved in the NEPA process." (Memorandum for the Heads of Federal Agencies from James Connaughton, Chair, Council on Environmental Quality, January 30, 2002).

Having the status of a "cooperating agency" does involve some responsibilities as well as opportunities. But it is understandable that local governments often seek to be granted that status—and, at least with regard to the kind of projects covered by this bill, I think that if a local government seeks it, it should be granted.

I was prompted to introduce this bill by the experience of Grand County, located on the west side of the Continental Divide, in connection with two water diversion projects involving some east slope communities and interests that possess rights to water that originates in and flows through Grand County.

Both of these projects have important implications for communities and activities in the county, so I joined with the county in requesting "cooperating agency" status to the County for both of these projects.

However, due to the discretionary nature of granting such status, in one case the County status was granted, in another it was denied.

One of these projects is the Moffat Collection System Project. The Denver Water Department owns and collects water in various streams that flow west from the flanks of the Continental Divide. The Department then pipes this water through a water tunnel associated with the Moffat Tunnel, which is also a railroad tunnel.

In 2004, the Denver Water Department began an effort to increase the volume of water it collects and sends through this Moffat Collection System. The U.S. Army Corps of Engineers is the lead agency on this project and began the necessary NEPA work. And when Grand County requested "cooperating agency" status for this project, the Corps denied their request.

The other project is called the Windy Gap Firming Project. This project also diverts water from Grand County to the eastern slope. The Northern Colorado Water Conservancy District is the prime beneficiary of the water from this project, which is designed to increase the water collection and diversion from Grand County using features such as Lake Granby, Shadow Mountain Reservoir, Grand Lake, and the Alva diversion tunnel.

In this case, the lead Federal agency conducting the NEPA work on this project was the Bureau of Reclamation. Again, Grand County sought "cooperating agency" status—and in this case, the Bureau of Reclamation granted the County that status.

This bill responds to this discrepancy by removing the discretion of either the Corps of Engineers or the Bureau of Reclamation to deny a request for "cooperating agency" status by a county or other local government having jurisdiction over any portion of such a project.

In other words, under the bill if a county or other similar subdivision of a state requests "cooperating agency" status regarding a transbasin-diversion water project located within its jurisdiction, the Corps or Bureau, if acting as the lead agency under NEPA, would be required to grant that request.

I believe that it is important for counties and other subdivisions to be involved in the impor-

tant issues affecting them, such as transbasin water diversion projects. I do not believe that allowing them more direct involvement in these issues should be up to the will of the lead Federal agency if they have made a decision to seek such status.

IN RECOGNITION OF STAFF SERGEANT MICHAEL LEE RUOFF, JR.

**HON. DOUG LAMBORN**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Saturday, August 4, 2007*

Mr. LAMBORN. Madam Speaker, I rise today to honor the life of SSG Michael Lee Ruoff Jr., passed away on July 1, 2007, in Ta'meem, Iraq, in support of Operation Iraqi Freedom.

Michael's wife, Tracy, and two daughters, Danielle and Grace were residing in Schweinfurt, Germany, where Michael's unit was stationed, and had planned to return to their home in Cañon City when Michael returned from the war. Cañon City is also the home of his parents, Mike and Vickie Ruoff.

Born in Ukiah, CA, Michael joined the Army at the age of 18, right out of high school, and was stationed at Fort Carson.

During his 13 years in the Army, Ruoff served in posts around the world as a crew member on M1 Abrams tanks. He was assigned to the 1st Battalion, 77th Armor Regiment, 2nd Brigade Combat Team, 1st Infantry Division, in Schweinfurt, Germany.

SSG Michael Ruoff's father was a Vietnam veteran, and like his father, Michael was a remarkable soldier, who could always be counted on.

Michael was a devoted man with deep beliefs, who, on July 1, 2007, made the most selfless sacrifice by giving his life to uphold the American ideals of freedom and democracy.

I present my humble gratitude to SSG Michael Lee Ruoff for his service to our country and offer my deepest heartfelt condolences to his family.

**IMPROVING FOREIGN INTELLIGENCE SURVEILLANCE TO DEFEND THE NATION AND THE CONSTITUTION ACT OF 2007**

SPEECH OF

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Friday, August 3, 2007*

Mr. UDALL of Colorado. Madam Speaker, I have reservations about this bill, but I will vote for it today.

It has just been introduced, and we have had only a short time to review it. And those of us who do not serve on the Intelligence Committee have had to depend on news reports and the debate on the floor for information regarding the events that have led to its being considered today.

We have been informed that Admiral McConnell, Director of National Intelligence, has asserted that under current law there is a critical collection gap in our electronic surveillance capabilities, and that the administration

wants that gap to be addressed through legislation.

The bill before us evidently is intended to respond to that request. It would make clear that no warrant or court order is required for our intelligence agencies to monitor communications between people located outside the United States, even if those communications pass through the United States or the surveillance device is located within the United States. The point of this clarification is to resolve doubts about the status of communications between foreign persons located overseas that pass through routing stations here in the United States.

I have no reservation in supporting this clarification to help resolve questions related to changes in communications technology since enactment of the Foreign Intelligence Surveillance Act, or FISA. And I think it is useful that the bill reiterates that individual warrants, based on probable cause, are required when surveillance is directed at individuals in the United States.

The bill requires the Attorney General to submit procedures for international surveillance to the FISA Court for approval and authorizes the court to issue a "basket warrant" for individuals or foreign powers, including al Qaeda, outside the United States based on a review of those procedures without making separate determinations about individuals to be subject to the surveillance. Under the bill, there would be an initial 15-day period when international surveillance can begin while a "basket warrant" is submitted to the FISA Court. It allows for up to two 15-day extensions while the court rules and allows the court to compel cooperation by carriers during that period. And it requires the Justice Department's Inspector General to conduct and provide to the court and the Congress an audit every 60 days of communications involving any U.S. persons that are intercepted under a "basket warrant."

In general, I am wary of the concept of "basket warrants," which are not normal under our laws. But I am prepared to support this part of the bill on the understanding that it is limited in scope and not applicable within the United States and with the expectation that the question will be revisited if the audits indicate a need for reconsideration of this part of the legislation. In this context, I am glad to note that this legislation will expire in 120 days. I think that is appropriate in light of the very short time we have had to consider the bill and the importance of the subject. This sunset clause means that we will be required to revisit the issue and will reduce the likelihood that any errors caused by today's expedited procedure will persist for an undue period.

Madam Speaker, the administration is not fully supportive of this bill and evidently would prefer a broader grant of authority for surveillance. I am prepared to consider their arguments, but in the meantime I will vote for this bill in order to provide an immediate response to the problem they have identified and to advance the measure to the Senate for further consideration.

## ENSURING MILITARY READINESS THROUGH STABILITY AND PREDICTABILITY DEPLOYMENT POLICY ACT OF 2007

SPEECH OF

**HON. TODD TIAHRT**

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, August 2, 2007*

Mr. TIAHRT. Madam Speaker, I rise in opposition to H.R. 3159, the so-called "Ensuring Military Readiness through Stability and Predictability Deployment Policy Act of 2007." This ill-conceived and dangerous piece of legislation will lead to American troops stuck in Iraq with no reinforcements and no replacements.

All Americans long for the day when our troops can return from foreign lands. With U.S. troops deployed in over 35 countries around the world, their families count the days until their loved ones come home. However, our Nation must never lose sight that each soldier, sailor, airmen, and marine has a mission to complete: to protect the citizens and interests of the United States.

H.R. 3159 has a lofty goal that is supported by every American, every Member of Congress, the Secretary of Defense and the President: to provide time at home to Iraq for our men and women in uniform between deployments. This legislation would require a one-to-one ratio between deployments in Iraq and home station for active duty forces, and a one-to-three ratio for National Guard and Reserve. However, the Department of Defense, DoD, currently has higher standards of a one-to-two ratio between all deployments, regardless of location, for active forces and a one-to-five ratio for Reserve forces.

So, the question must be asked, why has H.R. 3159, with its lesser standards than DoD's own standards, elicited a Presidential veto, opposition from the U.S. Military leadership, and widespread resistance in Congress? Because this legislation is a political ruse and would do serious harm to our troops in Iraq and our national security.

Although this legislation would prohibit back-to-back deployments to Iraq, H.R. 3159 still would allow troops to deploy to Iraq and then to another nation, such as Afghanistan or the Philippines, without restriction. Let me be clear, contrary to the arguments of the Democrats, this legislation would not ensure dwell times for our troops.

However, it will do real harm to our troops in Iraq—leaving our troops without reinforcements and without replacements. H.R. 3159 would hinder the flexibility of Pentagon leaders to place troops where they are needed, and when they are needed. This legislation would not change the mission in Iraq or decrease the required number of troops. But it will force our troops to stay in Iraq longer—waiting for their replacements. And if additional troops are required—this bill would hinder any reinforcements from arriving in a timely fashion. Holding our troops without replacements or reinforcements does not constitute support, as Democrats have asserted.

Although it is true this bill includes a waiver provision—it only allows troops to be deployed after a 30-day congressional notification. During war, time is always of the essence. Throughout history, many battles and lives

have been lost due to delays in reinforcements or replacements. When our military commanders urgently request a special operations or explosive ordnance disposal team, our President and military leadership needs to have the flexibility to send that team immediately. Under this legislation, the President would have to provide notification to Congress, wait 30 days, and then send these urgently needed forces. This is unacceptable.

Mr. Speaker, these are dangerous times for our troops and for our Nation. Our military commanders need the flexibility to effectively and safely carry out the will of this Nation. We must not hamstring our Nation's warriors. Therefore, I ask all my colleagues to join with me in opposition to this bill.

## CELEBRATING NEW YORK'S AFRICAN DAY PARADE

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Saturday, August 4, 2007*

Mr. RANGEL. Madam Speaker, today I rise up to honor what is expected to be an exciting first in the history of my congressional district—New York's first ever African Day Parade and Street Festival this Sunday, August 5, 2007.

I can think of no better place to hold such an event than in the village of Harlem. Although many people around the world hold common African value and traditions, unity of purpose and a shared history does not equal a monolithic culture. Too often "Africa" is presented without the richness of diversity, an oversight that helps continue backward stereotypes and misconceptions.

This event presents a unique opportunity for all New Yorkers to learn about the different cultures within the continent's diaspora. It will bring together a wide range of representatives from dance groups and vendors to fashion designers, writers and musicians—all of whom promise to showcase their own perspective of the continent's tapestry.

This grand celebration is also a great opportunity for our recently arrived African brothers and sisters to build bridges—both within their smaller communities, but also with their African American and Latino cousins. Only by growing these relationships can we achieve common goals and dreams. Only by working together can we move closer to the country and the world that all our children need and deserve.

## CONFERENCE REPORT ON H.R. 2272, AMERICA COMPETES ACT OF 2007

SPEECH OF

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, August 2, 2007*

Mr. UDALL of Colorado. Mr. Speaker, today I am pleased to strongly support the conference report for H.R. 2272, the America Creating Opportunities to Meaningfully Promote Excellence in Technology, Education and Science, COMPETES, Act of 2007.

Science, technology, engineering, and math STEM, research and education are the key to